



ORIGINAL

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERALANDREW M. CUOMO
Attorney GeneralLESLIE G. LEACH
Executive Deputy Attorney General
Division of State CounselJUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

June 5, 2008

VIA FACSIMILE (212) 805-6382Honorable Victor Marrero
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Suite 660
New York, New York 10007Re: Dawkins v. Gonyea et al.
Docket No.: 08-CV-2194**USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6-10-08**

Dear Judge Marrero:

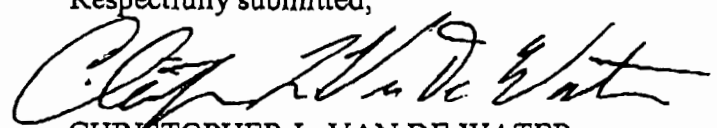
The Office of the Attorney General of the State of New York represents the defendants herein, corrections officers Paul Gonyea, Steven Katz and Raymond Cunningham. I write to request an extension of time by which defendants must move or answer with respect to the complaint from June 6, 2008 to July 16, 2008. This is defendants' first request for an extension of time and is made after only recently receiving this file. Plaintiff pro se has not been contacted for his consent as he is presently incarcerated.

Our office respectfully requests this extension to speak with the individual defendants regarding plaintiff's claims and defenses thereto, confirm proper service of the summons and complaint, perform an initial investigation of the underlying facts, research applicable law and draft responsive papers. In this regard, an extension of time is also necessary in order to obtain the necessary underlying files and documents referenced in plaintiff's complaint and which form the basis of his singular "cruel and unusual punishment" claim.

Wherefore, it is respectfully requested that defendants' request for an extension to move or answer with respect to the complaint to and including July 16, 2008 be granted.

Request GRANTED. The time for defendant(s) to answer or otherwise move with respect to the complaint in this action is extended to 7-16-08**SO ORDERED.**6-10-08
DATE
VICTOR MARRERO, U.S.D.J.

Respectfully submitted,


CHRISTOPHER L. VAN DE WATER
Assistant Attorney General
(212) 416-8099